



City of Loma Linda Official Report

Robert Ziprick, Chairman
Charles Umeda, Vice Chairman
Robert Christman, Board Member
Floyd Petersen, Board Member
Stan Brauer, Board Member

CRA AGENDA: May 9, 2006
TO: Agency Board Members
VIA: Dennis R. Halloway, Executive Director
FROM: Pamela Byrnes-O'Camb, Secretary
SUBJECT: Minutes of February 28, 2006

RECOMMENDATION

It is recommended that the Agency Board approve the Minutes of February 28, 2006.

Loma Linda Redevelopment Agency

Minutes

Regular Meeting of February 28, 2006

A regular meeting of the Redevelopment Agency was called to order by Chairman Ziprick at 7:09 p.m., Tuesday, February 28, 2006, in the City Council Chamber, 25541 Barton Road, Loma Linda, California.

Agency Board Members Present:

Robert Ziprick, Chairman
Charles Umeda, Vice Chairman
Robert Christman
Floyd Petersen
Stan Brauer

Board Members Absent:

None

Others Present:

Executive Director Dennis Halloway
General Counsel Richard E. Holdaway

Scheduled Items

CRA-2006-013 – Public Hearing – CRA Bill #R-2006-04 – Resolution of Necessity for acquisition of real property within the North Central Neighborhood known as 10781 Poplar Street (APNs 02893-141-72 and 73) on the east side of Poplar Street between the San Timoteo Creek and Van Leuven Street and declaring the public necessity therefore

The public hearing was opened. Chairman Ziprick stated that the Board would be considering authorization and direction of the acquisition by eminent domain of the property described; notice was provided pursuant to California Eminent Domain laws; proper legal notice was provided to all owners of the subject property proposed to be acquired by eminent domain, based on the names and addresses listed on the last equalized County Assessment Roll.

Chairman Ziprick then asked Special Counsel Allison Burns of Stradling Yocca Carlson & Rauth to present her report. Ms. Burns stated that the Resolution of Necessity declared the public interest and necessity in acquiring the subject property, that being an affordable housing project for redevelopment purposes and to further the Agency's goals and objectives. She elaborated that the project was planned and located in a manner consistent with the greatest public good and the least private injury in that it will assist in the elimination of blight and blighting conditions within the City; and assist the City to achieve its housing goals as identified in its Housing Element and Implementation Plan. The properties were necessary to the project in attaining the Agency's redevelopment goals.

She went on to say that the subject property was the last property needed on the east side of Poplar Street for the development of affordable housing. The Agency already held a 77 percent interest in the property, but has been unable to locate the owner of the remaining interest and therefore must proceed by eminent domain to acquire the remaining interest.

Ms. Burns stated that the findings required to be made were: 1) whether the public interest and necessity require the project; i.e. redevelopment; 2) whether the project is planned and located in the manner most compatible with the greatest public good and the least private injury; 3) whether the property is necessary for the project; and 4) whether the offer required by the Government Code has been made to the owner of record. She stated that each of the requirements had been met.

Chairman Ziprick then asked for oral and/or written testimony regarding the proposed project and Resolution of Necessity from owners, tenants and others with direct interest, and asked that comments be limited to the requirements stated by Special Counsel Burns. No one came forward.

Chairman Ziprick then asked for comments from members of the general public regarding the proposed project and Resolution of Necessity, and asked that comments be limited to the requirements stated by Special Counsel Burns.

Leland Lubinsky, 25818 Redlands Boulevard, stated that the area was within a flood zone and that in his opinion, placing housing in the area was an economic injustice. No other comments were offered.

Ms. Burns responded that this development as well as any other development in the City would be subject to standard review process and evaluated by the Planning Commission and all of the associated agencies, such as fire, flood, and so on, so that the project would be built in a manner compatible with the best interests of those who would ultimately live there.

No other testimony was offered and the public hearing was closed. Board Member Petersen commented that the subject property was vacant and the area was designated by FEMA as A99, which allowed construction with no restrictions relating to flooding. City Manager Halloway elaborated that FEMA would be revising its maps because the flood control project had been deemed complete.

Board Member Brauer confirmed that the City Council and Agency Board used eminent domain very sparingly and only after exhausting all means to come to agreement. He recalled that eminent domain was used to obtain property to construct flood control facilities to protect a school and surrounding neighborhood.

Motion by Petersen, seconded by Umeda and unanimously carried to adopt CRA Bill #R-2006-04.

Resolution No. 258

A Resolution of the Loma Linda Redevelopment Agency authorizing and directing the acquisition, by eminent domain, of certain real property located in the County of San Bernardino, State of California and declaring the public necessity therefor

The Agency Board recessed at 7:24 p.m. to allow completion of the City Council Agenda and reconvened at 11:07 p.m. with all members present.

No items were added or deleted, nor were any public participation comments offered upon invitation of the Chair.

General

CRA-2006-014 – CRA Bill #R-2006-05 – Authorizing the purchase and approving the Purchase Agreement and Joint Escrow Instructions for 10582 Poplar Street (APN 0283-114-56)

Motion by Petersen, seconded by Umeda and unanimously carried to adopt CRA Bill #R-2006-05.

Resolution No. 259

A Resolution of the Loma Linda Redevelopment Agency approving and authorizing the execution of an Agreement for the acquisition of property from Muhammad Farha (10582 Poplar Street)

The meeting adjourned at 11:08 p.m.

Approved at the meeting of

Secretary